

**Notice of Allowability**

Application No.

09/673,202

Applicant(s)

SHIMADA ET AL.

Examiner

Art Unit

Antonio A. Caschera

2676

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to afterfinal amendment filed 11/25/05.
2. ☒ The allowed claim(s) is/are 1,4-6,9-14,17 and 18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>10/12/00</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in the pending application.

### ***Allowable Subject Matter***

2. Claims 1, 4-6, 9-14, 17 and 18 are allowed.

The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 6 and 11, the prior art of record (Kato (JP10-040395), Matsugu et al. (U.S. Patent 6,453,069 B1) and Ito et al. (U.S. Patent 5,966,141)) does not explicitly disclose utilizing a path search method when interpolating, the path search method extracting a path that passes close to a portion of the curve having a higher gradient strength, in combination with the further limitations of claims 1, 6 and 11 respectively.

In reference to claims 4, 5, 12, 14, 17 and 18, claims 4, 5, 12, 14, 17 and 18 depend upon allowable claim 1 and are therefore also deemed allowable.

In reference to claims 9, 10 and 13, claims 9, 10 and 13 depend upon allowable claim 6 and are therefore also deemed allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

3. Note, the incorporation of claim 15 and objected to claim 16 into independent claims 1, 6 and 11 along with the cancellation of claims 15 and 16, is noted.

4. Applicant's arguments, see pages 7 and 8 of Applicant's Remarks, filed 11/25/2005, with respect to the rejection of claims 1, 4-6, 9-15, 17 and 18 have been fully considered and are persuasive. The rejection of the above claims has been withdrawn since previously objected to subject matter of claim 16 has been amended into independent claims 1, 6 and 11 respectively.

### ***References Cited***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Eichel (U.S. Patent 4,910,786)
  - Eichel discloses a method of detecting intensity edge paths in an image.
- b. Mitsunaga et al. (JP10-164436)
  - Mitsunaga et al. discloses generating key information by determining a contour area related to the contour of an object.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781.

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The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (571) 272-7778.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**571-273-8300 (Central Fax)**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

aac  
*AK*  
1/19/06



MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600